

2005-2006 Annual Action Plan
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City Council Public Hearing April 7, 2005

728-05
#12

Jennifer McPhail
ADAPT of Texas

Supports affordable accessible housing to people at 15 percent of median family income. Most of the people that ADAPT advocates for have nothing left over to pay for utilities and groceries after paying for rent. Advocates for deeper subsidies to help the very very low income.

Also, she endorses accessibility laws and support the tenants council in their efforts to enforce disability rights. The majority of Tenants Council complaints are disability-based. Multifamily and single family units should be visitable. There are only 1000 projects that are visitable, and 10s of thousands of projects that are not visitable, which limits her being able to rent, visit her neighbors and visit her mother. ADAPT supports visitability requirements in the building code.

Walter Moreau
Foundation Communities

Strongly encourages the City Council to support supportive housing. There is a tremendous need for housing with supportive services in Austin for the extremely low income. We have had great success at Garden Terrace. The average income gained is over \$5,000 for those residents. Create entry level supportive housing options if we want to get people off of the streets. Our organization is under contract to buy an extended stay hotel. Pretty quick conversion for supportive housing.

Gene Crancy
Foundation Communities, Garden Terrace resident

He lost most of his family in a series of five years and has been staying in homeless shelters. Recently, he went to the Austin Recovery Center provided by Caritas, and finally got into Garden Terrace. This has allowed him to be able to slowly start pulling his life together piece by piece and thanks everyone at Foundation Communities for giving him a second chance. He is getting his electrical license renewed and hopes to begin again.

Darrel Waltermann
Foundation Communities

He is 46 years old and in the early part of his life, while he had talents in leadership, he was suffered with a dysfunctional family, but he managed to escape alive. Later, serious mental health problems came along. After making the decision to seek help, he met a chain of angels that led him to Garden Terrace. He has helped to voice the quiet achievements of Garden Terrace, and encourages the Council to support changing more lives by supporting permanent supportive housing.

Thomas Sneed
Solid Rock Missionary Baptist Church

Thanks the Council for support of the South West Key project and the impact it is about to have on the community. He is excited about Phase 2 of this project, which is a proposal of developing 53 one bedroom section 202 units for very low income senior housing which

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would be a fully accessible dependable apartment complex. There is a demonstrated need because elderly population in Austin continues to show a strong pattern of growth, and Lyons Garden is full and has a waiting list of over 60 people.

Katherine Stark

Austin Tenants Council

Supports affordable housing and supportive housing. Supports targeting housing to below 50% Median Family Income. Austin Tenants Council receives CDBG and talks to over 11000 tenants a year. Affordability is a key issue. Highest rental rates in state of Texas, and not the highest employment wages. Almost all 30% or below are cost-burdened (or spend over 30% of their income on housing.)

Others who were listed in support, but did not speak

Gavino Fernandez

Kimberly Green

Veronica Delgado

Melany Chung

Christen Morris

Joe Remonte

Angel Mann

Oscar Ramirez

Casta Calveron

Susana Almanza

Johnny Townsend

Ishmael Ortiz

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Jennifer Daughtrey

Foundation Communities

Permanent supportive housing should be a top priority. Garden Terrace provides permanent housing with supportive services for homeless individuals. This model is critical in helping residents overcome barriers to stay housed. At Garden Terrace the waiting list is full, and 30 people are added each month. Approx 4000 individuals are homeless in Austin. These homeless people depend heavily on public services to survive which costs a lot of money for the City of Austin, however the cost of housing these individuals through supportive housing is less than what is spent per day on putting an individual in jail, prison, or a mental hospital. The City will spend \$375,000 a year on homelessness, while supportive housing costs no more than leaving someone homeless. Half of all Garden Terrace residents have increased incomes, increased independence, low turnover rate. Permanent supportive housing should be a top priority, and a more sustainable way to assist people who are homeless.

Darrel Waltermann

Foundation Communities

He is 46 years old and in the early part of his life, while he had talents in leadership, he was suffered with a dysfunctional family, but he managed to escape alive. Later, serious mental health problems came along. After making the decision to seek help, he met a chain of angels that led him to Garden Terrace. He has helped to voice the quiet achievements of Garden Terrace, and encourages the Council to support changing more lives by supporting permanent supportive housing.

Valerie Romness and Brenda Curran

The Advocate Newspaper (Homeless paper)

Works with Advocate Newspapers, and would like to have \$1000 to fund a quarterly forum (for food and newspaper advertising), in conjunction with the Advocate paper. Homeless people really benefit from opportunities to network with each other, and working with the newspaper, they can find out about employment opportunities. The Advocate is a good interim job to get them back into working communities, and many have moved into more stable jobs after working for the paper. We have become stable now that we are at the ARCH, but we need money for support of this community and the paper.

Oscar Ramirez

East Austin Community Development Project

Director of Economic Development with SWKey. Thank you for support. SWKey breaking ground on project on April 23rd. Here to speak about Phase 2. We asked the community about the various programs they wanted to provide opportunities for housing and low income seniors. Proposal for 54 development Section 202 housing for very low income housing for seniors. Lyons Garden is already full with a full waiting list of over 60 people. Want to encourage the City of Austin to support Rental Housing Development and Housing for Elderly persons as a priority. Section 202 application with HUD, and then, have to come

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before the city for gap financing of about \$500,000. October and November we will be hearing back from HUD about the Section 202 funding.

Sam Persley

Austin Tenant's Council

Austin Tenants Council provides in-house counseling, repair mediations, presentations to schools and other organizations, newsletters, fair housing complaints with the city. The majority of the clients are satisfied with the services they receive. Mr. Persley encourages the CDC to support renters rights assistance program as a priority. Low-income citizens are most likely to have fair housing issues. Fair housing testing success is due in part to the good relationship with the City, is not typical in most communities, and benefits the citizens facing housing discrimination. Fair Housing agencies have had a 10 percent reduction in federal funding federally in the last year, and need support more than ever, with CDBG funding.

Juanita Spears

Advocate (community member)

Ms. Spears is a resident of Thurman Heights and a long-standing resident of public housing that helped lead her to self-sufficiency and let her be a better parent and leader in community. As a minister, she now works with a lot of low-income people. She has found that there is a great need in the community for housing, particularly homeless housing. She says while the administration of public housing is well-run, there are many people she encounters who fall between the cracks because when they get partially through the admissions process, they are turned away when they have high electricity bills that are past due, that they can't afford to put on a payment plan. This disqualifies them, she says, and this is a barrier. She says, that if you aren't connected to some sort of agency you can't receive resources to meet that barrier.

Carmell Alberals

Advocate

He is a single parent of three and virtually homeless, living with a friend temporarily. He says there needs to be more programs for single dads. He has been looking for quite a while for services, and can't find what he's looking for. He also said it was very difficult to find daycare, but was able to finally get something in place for his 10, 5, and 3 year olds.

Does not wish to speak.

Priscilla Tory

Not present.

Robert Thomas

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**Jay Felderman, Passages Program
Project Coordinator**

TBRA is a partnership between the Austin Housing Authority, City of Austin, Housing Trust Fund, and Salvation Army, to provide transitional housing to homeless families since 1998. In March 2005, 380 families stayed an average of 12-18 months using the TBRA program. There were 45 families in TBRA and 15 new Passages applications between October 2005 and September 2006. These families are provided case management, childcare, financial assistance, counseling, job readiness and life skills, transitional housing. Approximately 75% of these families apply for permanent housing, paying reduced rents and decreasing debt and increasing their income. The families have to be certified homeless, so majority of families enter emergency shelters and then, get referred through case management. TBRA asks for continued support from the City of Austin, CDC, and encourages the continued funding for TBRA at \$580,750 per year, to transitional housing to 50 families. In addition, the Passages program supports the implementation of 10-year Plan to End Chronic Homeless.

**Rick Rivera,
Family Connections
Vice chair of Homeless Task Force**

The Homeless Task Force opinion on shelter vs. transitional housing vs. permanent housing, is that the community has a need for permanent housing, particularly for 50-30% MFI. There are several families in danger of becoming homeless. We would recommend any City money that could possibly used for housing vouchers be set as a priority status. We are concerned with implementation of the 10-year Plan to End Chronic Homeless. Chronically homeless are homeless three or more times in past ten years, have been homeless continually for the past year, have a disability, are single individuals, and this doesn't even cover families, although the HTF recognizes that they have a need, too. The Plan approved by the City Council spells out a plan to address about 600 individuals who are chronically homeless, who currently are unable to access the wrap-around services they need to get out of homelessness, such as people experiencing mental health issues, depression to bipolar disorders, and those who needs substance abuse services. There is also serious lack of set-aside beds for homeless with substance abuse issues. Recently, the federal government said that communities need to establish a Plan, and now that the Plan has been completed, we need money to implement the Plan. We ask that you help us direct local funds money towards individuals extremely low income, at the same time without jeopardizing the funding for families at risk of homelessness, like child care and basic needs. We are also concerned with homeless prevention, we want to move from "managing homelessness, to ridding our community of homelessness."

Robert Lee Thomas
NFL – signed in, but was not there when called to speak.

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Sam Persley
Austin Tenants Council

Mr. Persley observed that the Austin Tenants Council's funding (funding for Tenant's Rights Assistance) has been decreased by 5% in the draft Action Plan and was hopeful this was a mistake. He asked that the Commission support level funding or an increase for these services. He gave a number of statistics concerning the successful achievements of the ATC in obtaining repairs and other services for tenants, as well as clarifying their rights and responsibilities.

Lourdes Zamarron – did not speak.
Veronica Delgado Savage – did not speak

Fred McGee,
Concerned Resident of 78741
Small Business Owner

Mr. Magee said he did not see the link between public housing and NHCD in the Action Plan and said the funding source was the same so they should be included. He did not like the "N/A" associated with some of the charts regarding public housing nor did he agree with the concept of public housing as transitional housing. He questioned the lack of focus on historic preservation in the plan and said it was a mistake not to include these efforts as part of an economic development strategy as well as an anti-gentrification strategy. He questioned funding for economic development. He asked why Santa Rita Courts, the oldest housing project in the US, did not have a sign to foster pride in its heritage among residents. He pointed out that \$4,000,000 was allocated to NCMP.

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Approximately 10 p.m.

David Davis
Passages Program

We appreciate the City's and the Community Development Commission's support of the Passages program, a partnership with the Salvation Army. With the City's support of tenant based rental assistance and collaboration with Austin Housing Authority, the Passages program has been able to help homeless individuals and help them stabilize enough to get permanent housing. The program provides case management services, subsidized child care, limited financial counseling, assistance, substance abuse counseling, mental health services, life skills, job readiness, referral for permanent housing. Typically every year, 75 TO 80% of the people who graduate out of this program do achieve and maintain permanent housing. I recommend that the Council continue to support implementation of the 10-Year Plan to End Chronic Homelessness in Austin.

Mitch Weynand
CEO of LifeWorks
Chair of the Homeless Task Force

We thank Paul Hilgers and Neighborhood Housing for their efforts to coordinate their plan with the Homeless Task Force, and in addressing the needs of homeless individuals. We applaud their efforts to target housing towards the homeless, to people that are employed, and low income individuals. We are currently working on the Supportive Housing Program application which supports ten different programs which provides housing and services to the homeless. There are some efficiencies we may gain by coordinating our efforts, with the funds from NHCD, particularly CDBG. Recently we have received a cut in funding. Usually, we have had close to \$750,000 a year for permanent housing through Supportive Housing. Due to a policy change, there was a reduction of 50% of our pro rata share which decreased the amount to \$390,000, and it must be a two-year project. This limits the number of units that we can apply for. We are hoping to coordinate funds through CDBG and other dollars in the Plan to allow a provider to expand that program and to serve and create more units.

Lastly, we have developed a 10-Year Plan to End Chronic Homelessness, and right now we are identifying resources to support it. There are two housing models presented in the plan: One is permanent housing, and the other is a rapid housing model. In the rapid housing model, the target is getting the homeless on the street rapidly move into a housing situation so a case manager can work with them immediately. We will also be talking to the County about the support for this, and would greatly appreciate any help from the City to implement this rapid housing model.

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Kathy Stark, Executive Director of the Austin Tenant's Council

We have been fortunate to receive Community Development Block Grant dollars for many years to fund and provide services to renters, to get emergency repairs done to their homes, so that our rental stock does not go substandard. We deal with health and safety issues, making sure the landlords take appropriate action and keep those properties up to code. We work closely with building inspection and with NHCD and the police department in their neighborhood sweeps. I urge you to put all the dollars you can towards housing, especially affordable housing and housing services. My program will receive a 5% cut unless something is done. As you know, the City of Austin has the highest percentage of renters in the state of Texas. Also coupled with that, we have the highest rental costs, so renters are really squeezed. So, I would appreciate any consideration to flat funding that you could reserve for my program.

Signed up to speak, but didn't stay until after 10 p.m.

Austin Dullnig
Veronica Delgado Savage
Peggy Williams
Larasha Smith
Angel Man
Marjorie Hoffman
Maria Percastegui
Casta Calderon
Priscilla Kong
Joe Remonte
Emanuel Aparicio
Daniel Trabeau
Oscar Ramirez

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April 7, 2005
Richard R. Troxell
House the Homeless

Thanks for the opportunity to share.

- 1) We need a comprehensive job program that pays living wages.
- 2) We need substance abuse treatment beds. (There are only two publicly funded beds for single homeless adults in Austin that are outside the Criminal Justice system.
- 3) We need another transitional housing program similar to garden Terrace. This provides Single Room Occupancy (SRO) residents with case management.
- 3) We need affordable SRO's-- ie cheap overnight lodging where working people can pay \$10 a night, secure their belongings, take a shower and go to work the next morning (without case management).
- 3) We need to expand the number of beds at the ARCH. (Between 30-50 people are being turned away nightly).

April 19, 2005
Karen Langley
Executive Director
Family Eldercare

Re: CDBG Supportive Housing Proposal

There is a need to provide service coordination and benefits counseling at Lyons Gardens. We are finding it difficult to get this service funded at Lyons Gardens and are requesting that the city please consider funding this service in next year's (this year's) CDBG contracts. We have currently raised money from private individuals to have a staff person at Lyons assisting with much needed services but money runs out this summer. We would like the city to consider funding this service for both Lyons Gardens and Oak Springs residents. I believe that one well trained bilingual Case Manager/Service Coordinator would be able to serve both low income senior housing communities. This would be an ideal collaboration. This service is critical to maintaining Lyons Gardens as a model supportive housing community. If it is not funded many of the residents could fall into neglect or will require moving into a higher level of care. Aging in place in the community is the preferred way of living. The Service coordinator function is the most important link to aging successfully in the community.

Please let me know if receiving funding for this is a possibility for the 2005/06 contract period. We could provide this service to both Lyons Gardens and Oak Springs senior housing communities for a \$50,000 contract. This could be added to Family Eldercare's contracted services.

If you have any questions please contact me (info below). Family Eldercare is committed to establishing a national model in serving low income elders with housing and support

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services. We intend to do that in a way that honors the dignity and independence of elders. We would very much appreciate the support and partnership with the city.

June 1, 2005
Mark Rogers
Guadalupe Community Development Corporation
Blackland Community Development Corporation

Debt servicing of Section 108 loans seem to be using roughly 2 million dollars per year in CDBG funds. It appears the ARA uses about \$700,000; the Homeless Shelter uses about \$500,000 and the Millenium Youth Center uses about \$750,000 per year in CDBG funds to pay off debt on Section 108 loans. There is also about \$130,000 in CDBG used for debt service for one or more Neighborhood Commercial Management Program projects.

1. Is this assessment accurate?
2. How do these amounts break out into interest and principal for each project? And what is the interest rate and remaining term for the payments?
3. What portion, if any, of the p.i. is paid for by revenue from each of these projects?
4. Currently, what is the maximum amount of CDBG funds that can be used to service Section 108 debt?
5. If the CDBG funds were not being used for these programs, could they be used for any other existing eligible programs? Or, are specific CDBG funds being used that would be restricted to specific uses?
6. Do the three projects- ARA, Homeless Shelter and Millenium Youth Center use any other Federal dollars for their programs? If so, what is the total anticipated amount of federal funds for these programs in the next fiscal year?

May 27, 2005
Heather K. Way
Attorney at Law

I have been looking over the con plan budget with some other housing advocates. I know we have several other questions, but here is a more simple one I am hoping you can answer: I could not find any of the city funds from the surplus property/TIF resolution accounted for in the con plan, despite the fact that other city funds are in the plan. Are the funds accounted for the con plan and, if so, where would I find them?

June 08, 2005 3:09 PM
J. Oscar Ramirez
Director of Economic Development
East Austin Community Development Project

We are requesting that the City of Austin continue to support Rental Housing Development Assistance funds towards housing opportunities for low-income elderly persons. In

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particular, we support the plans for this type of housing proposed by Southwest Key Program. We also request that the City of Austin make it a priority to make funds available to assist developers during the first few years of their projects with gap funding for operating assistance funds as well as funds to supplement supportive services offered at these sites.

Wednesday, June 08, 2005 5:35 PM
David Mikeska
Program Coordinator
Department of School, Family and Community Education
Austin Independent School District

The Austin Independent School District has had a long collaborative relationship with the City of Austin in providing an English as a Second Language program at district schools in the evenings. The \$50,000 funding from Neighborhood Housing and Community Development made up more than half of the funding from the City for this program.

The current proposal to reduce CDBG funding from \$50,000 to \$20,000, a 67% reduction will have a drastic impact on the program. The ESL program will be reduced from 7 sites to 4 sites and the number of students to be served will be reduced from 600 to 420. In addition, staffing will be reduced by one part-time position.

Ms. Robinson-Greene, our program administrator states that it should be noted that the city demographer, in calculating population growth over the past five years projected that foreign born immigrants would represent thirty percent of that growth or approximately 24,000 new residents. This certainly supports the need for more rather than fewer ESL classes. We hope that there may be some additional funds found that will allow us to maintain our current level of ESL programming.

June 8, 2005
Bo McCarver, Ph.D., Chair
Blackland Community Development Corporation

General Comment

The document is less of a plan than a description of coping with the administration of categorical funding sources in the present political realities of Austin. It is void of any overarching strategies based on careful analysis but fraught with details of implementation, the reasons for which remain largely disconnected or absent. As such, it lacks a holistic view, critical studies and creative solutions.

In the absence of rationale and meaningful background information, a reviewer must often speculate as to what ills are being addressed and why. The document often lacks logical flow from cause-to-effect-to-solution-to-implementation.

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(Bo McCarver comments continued)

A major source of new approaches to some identified problems was contained in the recommendations of the Assessment of Impediments to Fair Housing (AI) study but those are frequently misrepresented or entirely omitted from the 2005-2006 plan. Examining those deviations from the AI reveals that the authors of the 2005-2006 plan have systematically avoided any assertive roles that would place the City in critical or oversight positions with private lenders and developers. As such, this plan fails to address major Fair Housing issues and should be entirely reworked.

Specific Comments

Plan Statement:

The Goals list "Expand Economic Opportunities" and goes on to list jobs for low-income people and making Austin a most livable city."

Comments:

This goal is admirable but the plan focuses on categorical programs and does not address exercising the new, mixed-use zoning that has been extensively deployed along business corridors in the neighborhood plans.

The Blackland CDCs experience with NHCD in 2003- 2004 found that the City has no mechanism to develop housing and small businesses on mixed-use property. We were forced to choose between one use or the other on two mixed-use lots and went with housing for low-income families -- which meant that we forfeited considerable land value to obtain a HOME loan. NHCD and AHFC are not prepared to deal with mixed-use property.

We were also disappointed when we approached the Austin Housing Finance Corporation and Austin Metro and asked either to purchase a tax-sale, commercial property at 26th and Chicon for public uses in 2004. Neither department could find resources to pull the property off the county delinquent property sales list which could have been done by paying \$22,000 for delinquent taxes. Private investors purchased the property at auction for \$70,000 and it is now valued at three times that amount. It would have made a perfect "public space" as an entrance to the new restaurant district on Manor Road. Its potential uses were clearly described in the Upper Boggy Creek Neighborhood Plan. The opportunity was squandered in City bureaucracies that had no tools or motivation address the immediate situation. The property remains undeveloped in the hands of speculators.

Despite lip-service to expanding economic opportunities, the city's departments are not coordinated or motivated to foster mixed-used development or other timely economic opportunities that develop at the neighborhood level. This plan does not address such administrative issues.

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(Bo McCarver comments continued)

Plan Statement:

The charts on pages 1-3 and 1-5 rate transitional housing as a high priority yet no funds are allocated for developing new units. The chart on page 1-5 states "At this time, there are no programs that are strictly transitional."

Comment:

We are mystified by the statement and assume the writers meant that *this plan* recommends no transitional funding. The non-profits that offer transitional housing describe a severe shortage of units. Our Blackland CDC has to turn away 20 homeless families for every one it accepts. Throughout the plan there is reference to a "housing continuum," yet developing new units of transitional housing is left out of the plan.

Plan Statement:

Method for establishing Consolidated Plan 2004 – 2009 priorities p. 1-3

"(2) An independent consultant was hired to evaluate impediments to fair housing choice and evaluate the needs of special populations."

Comment:

A report by J-Qual & Associates was presented to the City in July of 2004 but contained so many grammatical and demographic errors that it was sent back to the authors for re-writing. Only three color copies were then made available to the City despite the inclusion of numerous maps, graphs and charts that could only be discerned in color. A corrected version with discernable graphics was not distributed until February, 2005. It is doubtful that the public had access to the impediments study. The findings and recommendation from the AI are misrepresented and only partially addressed in the 2005-2006 Plan.

Specific deletion and distortion problems of the impediments study in the 2005-2006 are:

Page 2-9, Impediment 1, "Lack of accessible housing to meet the needs of the disabled in Austin," the impediments study recommended that the "City should offer incentives to get private developers to plan their construction process in anticipation of future conversion for accessibility. 4 The 2005-2006 plan does not address the recommendation but says "See above." That column states that the city will consider adopting the 2003 International Building Codes but in no way addresses the recommendation from the impediments study. The City is apparently unwilling to communicate this need to developers.

Page 2-9, Impediment 2, the section on "Lack of Affordable Housing," the plan does not address a specific recommendation in the impediments study which said "increasing the

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density in census tracts that do not currently provide affordable housing for low income citizens helps deconcentrate pockets of low-income neighborhoods and create a more mixed-income market throughout Austin.” 5 We can assume that the City is unwilling to press greater density on private developers in the outlying areas. As such, this plan perpetuates segregated housing.

The 2005-2006 plan makes a performance statement that says 65 (7 percent) of 869 projects built with CDBG and HOME funds were in census tracts that had no low-income households. That statement sidesteps the density recommendation -- and the 67 units generated are woefully inadequate to address the problem of deconcentration. Thousands of units for moderate and upper income households are being built annually in new, outlying developments. City is unwilling to foster low-income housing there. Once more, the City seems unwilling to implement any recommendations that might raise the ire of private developers.

Page 2-10, Impediment 3, Discrimination of minorities in the housing rental and sales markets.

The AI recommended that the City and the Tenant’s Council train and certify housing industry professionals who would then train members of the public to detect discrimination.

The response in the report details all the coordination among city commissions, boards and the Tenant’s Council but does not address the training and certification recommendation of the AI.

Page 2-10, Impediment 4, Misconception by property owners concerning family occupancy standards. The AI recommended that the quarterly housing testing report by the Tenant’s Council be published so that organizations, landlords, property managers and the City are aware of the problems in the rental housing market. The AI also recommends that the Tenants Council the Human Rights Commission work with the Apartment Association to provide training. The 2005-2006 plan does not address either recommendation but offers a passive “information sharing” approach that avoids any oversight role. Again, it appears as if the city is unwilling to confront private property owners.

Page 2-10, Impediment 5. Lack of accessibility or adaptability requirements in the current codes.

The AI recommends that the City adopt the International Building Code. It noted that just over half of the properties have come into compliance with the city’s voluntary compliance program. The response in the 2005-2006 plan is “See above,” which perhaps means the response several pages earlier that said the City is considering it.

Page 2-10, Impediment 6. Predatory lending practices. The AI recommends that “the Austin Housing Finance Corporation should work with area lenders to develop loan products that meets the needs of borrowers who are likely targets of predatory lenders,

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charge lower interest rates, and provide more assistance in the even the borrower is late with a payment.”⁶ The plan’s response avoids this recommendation completely and seems to focus on lenders rights, not loan products. If AHFC truly intends to work with lenders to provide these services, it should be clearly stated in the plan.

Page 2-11, Impediment 8. Redlining. The AI listed the following recommendation which is left out of the 2005-2006 report: “The HMDA Analysis included in this document should be distributed to lenders in Austin to highlight concerns and provide them with an overview of local lending activities.” This action would serve as a warning to those institutions that routinely redline borrowers. The 2005-2006 plan should respond to the AI recommendation.

Page 2-11, Impediment 9. Insufficient financial literacy education. The AI recommends that the City work with local school systems to institute a course that provides financial literacy for teenagers. The course would be designed with the assistance of local lenders. The 2005-2006 plan does not acknowledge this recommendation.

An entire section of the AI is not addressed in the 2005-2006 plan: Analysis of Impediments due to Plat Notes, Restrictive Covenants, and Minimum and Maximum Site Development Regulations. The eight-page section concludes by recommending that “The S.M.A.R.T. Housing program should seek to infuse affordable housing developments in areas like West Austin by encouraging mixed income neighborhoods and creating additional housing opportunities outside of typical low income neighborhoods.”⁷ The 2005-2006 plan should respond to this recommendation, particularly in light of the “shift in focus” below.

Plan Statement:

“Although no new housing programs are proposed, NHCD will shift its focus in two important ways. First, programs will serve lower income households than in the past due to changes in the market. Second, completed Neighborhood Plans will be used to generate support for affordable housing and increase successful neighborhood revitalization.” p. 1-4

Comment:

The neighborhood planning process is approximately half-completed and the initial planning areas were clustered in Central, East and Southeast Austin where census tracts have high concentrations of minority populations. Therefore, focusing on those completed neighborhood plans will eliminate approximately half the city and shift focus away from providing affordable housing in the newer, more affluent outlying and West Austin areas. While there is great need for improving access to housing in the areas where neighborhood plans have been developed, failure to pursue low-income housing in the remaining areas where neighborhood plans are not available will further segregate the city. A February 2004 study by Dr. Elizabeth Mueller demonstrated that if Austin had implemented an inclusionary housing program during the years 1992 – 2003 that required all new multifamily units provide 15 percent of the units to families below 80 percent MFI, 5,649 units would have

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(Bo McCarver comments continued)

been produced throughout the city – *all over the City to include West Austin*.¹ The study has been circulated among City Council members and City Staff but is conspicuously ignored. Initiatives to include low-income units in new, affluent developments invariably come from entities outside of NHCD. That department's "SMART Housing Program has been dubbed nationally as an example of failed voluntary inclusionary housing with only 2 percent of its SMART housing units being affordable to persons earning below 40 percent MFI. ²

Furthermore, NHCD did not actively participate in creating the neighborhood plans but played a marginal, evaluation role in which they provided a critique of each plan. Suggestions such as creating new CHDOs, retaining existing housing for low income families or any of the recommendations from the AI did not occur. NHCD operates independent of the City's Planning Department and their participation in the neighborhood planning process has been weak. To rely on those plans now, having been construed without presentation or consideration of viable housing options, is to cater to NIBMY prejudices in conservative neighborhoods and negate development of low-income housing in White Census tracts, a specific finding in the AI. By focusing on a half-finished neighborhood planning process, already flawed by weak input concerning development and preservation of low-income housing, the plan undermines the Fair Housing Act by reinforcing segregated housing.

By pursuing the segregating aspects of this plan, the City stands to further separate low-income families from jobs that develop in outlying communities. Austin's ratings on job sprawl (62.4 percent) and Black spatial job mis-match (46.4 percent) does not compare well with national ratings. Extrapolated figures suggest that approximately half of Austin's Black workers would have to be relocated near jobs, or the new job relocated to segregated areas, *for Austin to reach parity*. A housing policy such as this one that does not produce low income housing in developing communities will acerbate this problem. ³

Plan Statement:

"The Community Housing Development Organization (CHDO) Capacity Building Program is designed to build the skills of non-profit housing organizations who receive HOME funding so they can provide housing for low income households."

Comment:

This program focuses on improving the performance of *existing CHDOs* but does not address developing new CHDOs or the broader operations of neighborhood non-profits that provide services other than housing. Austin has done little to increase the number of neighborhood-based CHDOs since the mid-1980s; there should be dozens operating now. As mentioned earlier, NHCD does nothing to promote the start of neighborhood-based non-profits during the neighborhood planning process. That such an opportunity is squandered makes suspect the City's true interest in community development.

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(Bo McCarver comments continued)

Plan Statement:

\$4.5 million dollars will be allocated for 52 new housing units in a single project in Anderson Hill.

Comment:

Depending on the specific marketing and length of affordability, the Anderson Hill Project is probably worthwhile but it appears as if the City is tying-up considerable funds that could be used by other housing projects for low-income families.

The Blackland CDC has had dialog for the past year with NHCD staff concerning an infill project for four vacant lots that will produce at least eight houses for transitional and other low-income households. There is no acknowledgement, however, in the 2005-2006 plan of that potential development which, because of the energy-efficiency desired, would be similar to the failed Montopolis project. Given this experience and other signals from NHCD, the Blackland CDC has concluded that NHCD is not interested in small infill projects and no longer consider them a viable source for development of new housing. In view of the weak interest by NHCD, the Blackland CDC has adopted an incremental approach to infilling the lots and will patch together small grants and volunteer labor to acquire, relocate and remodel houses for low income households. This policy was adopted in part because a previous infill project for nine units of housing, partially funded by AHFC, requires high debt service that pressures the non-profit to seek rental income greater than that affordable by low-income households. The CDC is forced to gentrify in order to service the debt. The Blackland CDC has been marginally successful in renting several of the units to households with Section 8 vouchers, thus servicing the debt. A reduction in Section 8 program would force the non-profit to consider bankruptcy. In the interest of its low income residents, the Blackland CDC is highly reluctant to pursue similar funding for additional projects.

NHCD has been very supportive of lead-abatement and rehabilitation of existing housing in Blackland and that support has been vital to the continuance of the transitional housing program.

Plan Statement:

Pages III-3-4, Affirmative Action and Minority Outreach. The plan says that in order to reduce foreclosure rates, lending criteria will be established as well as other services for home buyers.

Comment:

Nothing is said about how the criteria are to be distributed or to whom. The entire section contains no specific actions to be taken but does present some good concepts. The section is vague and suggests no interaction with lending institutions as recommended in earlier AI recommendations concerning redlining.

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(Bo McCarver comments continued)

A natural place for disseminating much of information to consumers would be in the neighborhood planning process. If NHCD is serious about focusing their efforts on neighborhood plans, it should rework the 2005-2006 plan in light of the AI recommendations and better prepare to participate in the grassroots planning process.

References

1. Mueller, Elizabeth "Potential Impact of Inclusionary Zoning on the Supply and Location of Housing in Austin, Texas, 1992 – 2003," University of Texas School of Architecture, Feb. 2004.
2. Brunick, Nick; et. al. "Volunteer or Mandatory Housing? Business and Professional People for the Public Interest," Nov. 2003.
3. Stoll, Michael A "Job Sprawl and the Spatial Mismatch between Blacks and Jobs," Brookings Institute, Feb. 2005.
4. "Analysis of Impediments to Fair Housing," City of Austin, February 2005, p. 141.
5. Ibid. p. 143.
6. Ibid, p. 149.
7. Ibid, p 163.

May 9, 2005

Stephanie Thomas

ADAPT of Texas

The biggest issue facing Austinites, and especially those with disabilities, that is related to this plan is the issue of affordability of housing. And let us be completely clear. We are talking about affordability for people with incomes at 30% and at 15% AND BELOW of median family income.

AFFORDABILITY

Austin needs to create more housing at this level of affordability. Right now way too much effort is concentrated at higher income levels. Such a change will – in all likelihood – mean deeper subsidies for builders of this kind of housing, and a much long linkage of commitment to keeping that housing affordable for longer periods of time.

Even very affordable housing is becoming unaffordable. At the same time the commitments to low income affordability that were made in exchange for funding 25 –30 years ago are ending, and it is the rare owner who keeps the building REALLY affordable. Public housing is working toward taking more and more higher income people, people who work, etc. so that there are even fewer of these units available to very low income people. Section 8

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(Stephanie Thomas Comments Continued)

vouchers are under attack at the federal level and are slated to be further limited in total number, in addition to being available for higher incomes, homeownership and a variety of other things that will spread the too small pool even more thin.

AUSTIN NEEDS TO CREATE MORE REALLY AFFORDABLE HOUSING FOR VERY LOW INCOME PEOPLE!!!!

People on SSI have incomes of about \$570 per month or \$6840 per year, less than half Austin MFI. Even if you spend ALL your money on housing you can't afford most "affordable" housing. Attendants and others who directly help people with disabilities make about \$6 to \$8 per hour (less than many fast food jobs) that is \$12,480-\$16,640 per year, roughly 30% of MFI. These people need places to live.

AUSTIN NEEDS TO CREATE MORE REALLY AFFORDABLE HOUSING FOR VERY LOW INCOME PEOPLE!!!!

Working with employers is OK but it will not address the needs of the lowest income Austinites.

The City should support inclusionary zoning and build up the Affordable Housing Trust Fund.

ACCESSIBILITY

ADAPT celebrates the recommendations in the Consolidated Plan regarding bringing Austin's access multifamily standards in line with the federal Fair Housing standards, by adopting the 2003 International Building Code. We wholeheartedly commend NHCD and the CBC for this and urge the Council to support this as well. NHCD should work to further this goal as should the Watershed Development and Development Review and any other appropriate departments.

SMART housing has worked hard to address accessibility but the City should work to assure that other programs are as aggressive in including and enforcing this important component of adequacy in housing.

In addition, ADAPT believes the City should explore including Visitability standards in the building code for ALL single family, duplex and triplex housing, not just those built with city assistance – as is currently required. It does not make sense to us to ask those building the housing with the least profit margin to meet higher standards than everyone else, especially since everyone can benefit from these most modest requirements. NHCD should work to further this goal.

In fact the whole Fair Housing Section of Section 2 of the plan is full of excellent observations and recommendations regarding disability related issues. Staff and

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(Stephanie Thomas Comments Continued)

Commissioners should be commended for the improvements in addressing disability issues between this Con Plan and the last one!

Architectural Barrier Removal is a critical program and needs continued support, but NHCD should work to better meet the goals (last year 100 units under goals) in the next 5 years, and work to better equalize access by homeowners (who currently dominate) versus renters.

Accessible housing referral is an important service that should be maintained by the city and better publicized. Working with private developers is an excellent suggestion which we also support and would be happy to help with.

ENFORCEMENT

Enforcement against housing discrimination is critical still. Austin Tenants Council still finds over 50% of their complaints are disability related. This important work must continue. Outreach is also important so people will know their rights and resources available.

Enforcement of access requirements remains necessary still. The testing and review that NHCD contracts for continues to find problems in city funded projects that would not be corrected if not for these efforts. Privately funded housing in Austin is becoming even worse about compliance, and this may need work from the city as well, hence the importance of the building code changes too!

INTEGRATION

The City should not put money into disability segregated housing. The city should adopt an integrated housing policy similar to the state's policy. Housing that segregates people based on disability should not be accepted, much less encouraged by the policies, procedures and funding of the City or any other governmental agency or even private entities.

One final comment, Austin has many groovy development ideas. Each needs to be strongly scrutinized for it's effect on the disability population in Austin. The Mueller development is a classic example of completely ignoring the disability community, and it is something that should not be repeated. NHCD was instrumental in trying to fix this problem.

Thank you for the opportunity to comment!

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June 9, 2005
Walter Moreau
Foundation Communities

Thank you for the opportunity to comment on the draft 2005-2006 Action Plan. Overall we believe that this is a strong plan, however we would like to make three constructive comments:

1) PRIORITIZE FUNDING FOR PERMANENT SUPPORTIVE HOUSING

Permanent supportive housing provides a real solution to reduce the number of homeless individuals and families in our community. This type of housing requires public investment to succeed.

We greatly appreciate the City of Austin's leadership and investment in making Garden Terrace a reality in the Fall of 2003. Since that time, this 85 unit community has been a supportive home for many individuals that were formerly homeless. We've maintained a waiting list that has at times exceeded 200 individuals. The need for permanent supportive housing is substantial.

Please consider setting aside or prioritizing several million dollars to create new permanent supportive housing communities in Austin.

2) FIND AN ALTERNATIVE FUNDING TOOL FOR INTERIM LENDING ACTIVITIES

The Action Plan budgets \$5.58 million, mostly from HOME and CDBG sources, for 'Homeownership Development'. Most of these funds are loaned on a short term basis to small builders or used internally by the City to develop affordable single family homes. Because these funds are repaid and "revolve", it may be preferable to tap alternate sources of funds for this activity, rather than use scarce HOME and CDBG dollars which can be used as subsidy funds. If the City can tap other internal capital funds, borrow or leverage private funds, or create some type of loan guarantee for small builders, then millions of HOME and CDBG dollars could be freed up to invest in other priorities.

3) ONLY USE SECTION 108 FUNDS FOR NEW PROJECTS IF REPAYMENT FROM PROJECT INCOME IS CERTAIN

The Action Plan budgets \$4.3 million in Section 108 funds for the Neighborhood Commercial Management Program. If this program is not successful and cannot repay these funds, then the City of Austin must take \$4.3 million of CDBG dollars from future budgets to make good on the HUD Section 108 loan. As a matter of policy I believe the City of Austin should not use any more Section 108 funds unless repayment of these funds by the project is certain.

Thank you for the opportunity to provide these comments.

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Heather K. Way
Attorney at Law

I am writing to provide comments on the City of Austin's Draft 2005-2006 Housing Action Plan. I have the following concerns, suggestions, and questions regarding the plan:

(1) Provide More Dedicated Funds for Permanent Supportive Housing for Extremely Low Income Families

The greatest housing need in our city is for more permanent supportive housing opportunities for individuals and families earning less than 30% MFI. Very few units are built in our community on an annual basis for households at this income level (especially families), in spite of the enormous demand and need for this housing. I recommend the annual plan include a specific line item of at least \$3 million in gap financing (grants or 0% interest forgivable loans) for permanent supportive rental housing for households earning less than 30% MFI.

(2) Use More Funding for Gap Subsidies Instead of Interim Financing

The Consolidated Plan proposes the allocation of \$5.6 million for the development of only 45 houses for first-time homeowners (\$125,000 a house). Most of this funding will presumably be used for interim financing. I believe that our city should not be tying up scarce federal funds for interim financing to acquire and develop housing units. Instead, we should be dedicating the scarce federal funds for the gap subsidy component of a development—these are dollars that are very hard to come by from other sources and make or break a nonprofit housing deal. There are other inexpensive private and nonprofit financing tools available for most interim financing of viable projects. The city can also get more immediate bang for its buck and serve more lower income families by dedicating these resources for the larger gap subsidies that are needed to serve families in the lower income brackets.

(3) Include City Surplus "TIF" funding in the Annual Plan

The Consolidated Plan fails to account for the allocation of dollars from the city's "surplus TIF" fund. The designation of 40% of certain property tax revenue for housing affordability was adopted by the City Council by Resolution 000907-72 on September 7, 2000. These funds appear to be unaccounted for in the annual plan (or at least I could not locate them), despite the fact that other city dollars such as the housing trust fund and housing CIP funds are accounted for in the plan. Because these dollars are reserved for affordable housing, there needs to be a public accounting of how these dollars have been spent and how the city is planning to spend these funds in the next fiscal year. The Annual Plan is the appropriate place to account and plan for these and all other housing and community development funds. I also have several questions regarding this funding source:

- a. How have these funds been spent to date and what is the plan for the expenditure of these funds in 2005-2006?
- b. What former city surplus properties are currently designated under this policy?
- c. How is the Mueller surplus TIF money being spent and what is the plan for the expenditure of these funds?

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(Heather Way Comments Continued)

- d. How much are these properties generating annually for affordable housing? How much are they anticipated to generate annually for affordable housing?
- e. Because there is no designated time limit on the policy, does the policy have to be renewed via resolution on an annual basis or be included as part of the annual city budget?

(4) Limit Use of Section 108 Funds

The Annual Plan proposes to use additional CDBG dollars for Section 108 Loans. The city's current debt servicing of Section 108 loans appears to be roughly two million dollars per year in CDBG funds. That means the City is tying up future CDBG dollars of at least two millions dollars a year services these loans. Any new expenditure of Section 108 funds should be scrutinized very closely to ensure that the City grants Section 108 loans only to projects that are going to be paid off. The City should not be dedicating any more additional future CDBG funds to repay these loans.

June 9, 2005

Mark C. Rogers

Guadalupe Neighborhood Development Corporation

To Whom it May Concern:

I am writing to provide comments on the City of Austin's Draft 2005-2006 Housing Action Plan. I have the following concerns, suggestions, and questions regarding the plan:

(1) Provide More Dedicated Funds for Non-profit owned (Permanent) Rental Housing for Extremely Low Income Families

The greatest housing need in our city is for more permanently affordable rental housing for individuals and families earning less than 50% MFI. Very few units are built in our community on an annual basis for households at this income level (especially families), in spite of the enormous demand and need. The annual plan should include a line item of at least \$3 million in gap financing (grants or 0% interest forgivable loans) for permanent supportive rental housing for households earning less than 50% MFI.

(2) Use More Funding for Gap Subsidies Instead of Interim Financing

The Consolidated Plan proposes the allocation of \$5.6 million for the development of only 45 houses for first-time homeowners (\$125,000 a house). Most of this funding will presumably be used for interim financing. Our city should take every effort to avoid tying up precious (and perhaps vanishing) federal funds for interim financing to acquire and develop housing units. Instead, the scarce federal funds should be targeted for the gap-financing component of a development. This is what those dollars are most effectively used for, and are nearly impossible to secure from other sources. There are many other inexpensive private and nonprofit financing tools available for most interim

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financing of viable projects. The city can also get more immediate bang for its buck and serve even lower income families by dedicating these resources for the larger gap subsidies that are needed to serve families in the lower income brackets.

(3) Include City Surplus "TIF" funding in the Annual Plan

The Consolidated Plan fails to account for the allocation of dollars from the city's "surplus TIF" fund. The designation of 40% of certain property tax revenue for housing affordability was adopted by the City Council by Resolution 000907-72 on September 7, 2000. These funds appear to be unaccounted for in the annual plan (or at least I could not locate them), despite the fact that other city dollars such as the housing trust fund and housing CIP funds are accounted for in the plan. Because these dollars are reserved for affordable housing, there needs to be a public accounting of how these dollars have been spent and how the city is planning to spend these funds in the next fiscal year. The Annual Plan is the appropriate place to account and plan for these and all other housing and community development funds. I also have several questions regarding this funding source:

- a. How have these funds been spent to date and what is the plan for the expenditure of these funds in 2005-2006?
- b. What former city surplus properties are currently designated under this policy?
- c. How is the Mueller surplus TIF money being spent and what is the plan for the expenditure of these funds?
- d. How much are these properties generating annually for affordable housing? How much are they anticipated to generate annually for affordable housing?
- e. Because there is no designated time limit on the policy, does the policy have to be renewed via resolution on an annual basis or be included as part of the annual city budget?

(4) Limit Use of Section 108 Funds

The Annual Plan proposes to use additional CDBG dollars for Section 108 Loans. The city's current debt servicing of Section 108 loans appears to be roughly two million dollars per year in CDBG funds. That means the City is tying up future CDBG dollars of at least two millions dollars a year services these loans. Any new expenditure of Section 108 funds should be scrutinized very closely to ensure that the City grants Section 108 loans only to projects that are going to be paid off. The City should not be dedicating any more additional future CDBG funds to repay these loans.

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Community Development Commission Citizen Communications June 14, 2005

Walter Moreau

Foundation Communities

Have already submitted written comments regarding the Action Plan. I have three constructive comments. 1) Encourage the support of permanent housing for families who are homeless and extremely low income. There needs to be some emphasis or priority for permanent supportive housing solutions for homeless because it works. The city deserves a lot of credit for making it happen.

2) With single family projects, explore how these projects are used on a revolving loan basis. Perhaps other funds could be used on these projects, like private funding, city capital, other lenders who do single family housing. It would mean several million dollars for gap subsidies piece.

3) Regarding the proposal to use several million in section 108 funds for NCMP. As a matter of policy, the City should not do any more section 108 loans, unless we are very sure that program income will be generated to pay it back, because if not, you are guaranteeing that we will use CDBG dollars on future loan paybacks. There could be other funding used to fund that program and to leverage it.

Its tricky to work with federal funds, but there are some potential opportunities.

Ofelia Zapata

Co Chair with Austin Interfaith. Regarding affordable housing 1) the Housing Trust Fund needs to increase to 3 million dollars by combining the discretionary dollars into this. We would be willing to help disperse those dollars. Families at 50 to 80 income, getting higher percent of dollars for affordable housing versus the 30-50. We should change this to give to families with higher needs.

We received a large cut for English as a Second Language program. The community needs this service clearly. The ESL program is a collaboration with the school district and Austin Community College, and directly responds to the community need. It has had the highest retention of students who finished the ESL program.

Yadira Santos

I am from Nicaragua and went to the ESL class because I need to work and I need English for a better job, and I promised my son. He has lived for ten months here, and he needs help in homework and I need to be able to help him. Parents need to be able to help their children with their homework and get a good job for them.

Felix Hernandez

I moved here from Guatemala. It is important to be able to speak English so I can communicate with my customers. My plan was to go to ACC, because its not the same to learn English from the street, rather than at school. Hundreds of people need this program

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to help them. I've tried before several times and this program gives me the support I need. We need to learn English to live.

Jose Zavala

I am here because I am a student of ESL, taking classes for five years. These classes made a big difference in my life, and the first year couldn't speak at all. I looked for places to learn, and couldn't afford it, but this program was helpful. Now, I have a better job, and for last three years I have been able to run my own business and be a more productive member of society. I encourage you from the bottom of my heart to not cut this program. It has helped a lot of people.

Carolina Rodriguez

I came from Mexico. I want to learn more English and I only have five months in this school. My daughter attends school, and I can't help her since she sends papers home in English. I need a job, and I need more English to get a job. This program is important for many people. I finished high school in my country, and it's important for me to go to college. It's necessary for me to speak and write.

Diego Galindo

I come from Mexico and have lived here for two years. I want to learn English to help other people and educate myself about the history of the United States, like the way I know the history of Mexico. Please help this program.

Martha Lopez

I'm a single parent, with three kids, two grown so I have only one at home. I am here because of the program. I need to learn more English. I worked for this company, and they laid me off because I hurt my ankle, and it is hard to get new job. I went to the Workforce Commission, and they told me about this ESL program. I go to the Bedicheck School for a few years, and I got another job at the Lighthouse for the Blind, and then, found another job with home health care, and that's why I need to speak more English because of my work. Please don't take away this program.

Dan Woshch

I am from Monterrey, Mexico. These classes are the only reasons I am speaking English now. I have friends that went to these classes. I am a painter and now I work for myself, and you don't have any idea how many people you help with these classes, and I want to say thank you for that, and we really need to tell you we need these programs.

Debra Cae

Project supervisor for AISD ESL.

On behalf of an individual with knowledge of this program, I am here to tell you more about it. There are seven different campus sites to serve the needs of immigrants to find employment, to help their children, to help them become better community members, and the majority have incomes below 80%. Funded through the General Fund, CDBG and

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Community Development Commission Citizen Communications June 14, 2005

Travis County, we use the money to provide 100 hours for individuals, \$148 per person per year. It's a highly cost-effective program. We would be eliminating classes at three sites and serving 400 less students this year. City demographer shows many new immigrants coming to Austin. And while there are other programs that serve this population, none of them will increase services, so there will be an increase in need, with a decrease in funding. We are solely dependent on grant funding, ACC grants for subcontractors and federally-funded English language civics program. The program started in 1996, currently serves 1300 people and has increased dramatically over the years. We restructure every year to serve the different needs in the communities. Three of the seven sites cut will be hard for people to redo their transportation to help out. We have open registration, we only give out services to the *first come first serve*, and have a waiting list. These *free* programs are very critical and we urge you to not cut funding.